IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CIVIL REVISION APPLICATION No 125 of 2001

For Approval and Signature:

HON'BLE MR.JUSTICE P.B.MAJMUDAR

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1. Whether Reporters of Local Papers may be allowed to see the judgment? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

LALJI KANJI LAKHANI

Versus

DEVCHAND SHAMBHULAL SHETH

Appearance:

MR AR THACKER for the Petitioner.

MR RC KAKKAD for Respondent No. 1

RULE SERVED BY DS for Respondent No. 1,3

GOVERNMENT PLEADER for Respondent No. 2

CORAM : HON'BLE MR.JUSTICE P.B.MAJMUDAR

Date of decision: 06/04/2004

ORAL JUDGEMENT

Mr.Thakkar, learned Advocate for the petitioner, states that this revision is preferred against an

interlocutory order and, therefore, the same is not maintainable in view of the amendment in Section 115 of the Code of Civil Procedure and, therefore, in order to file a substantive Special Civil Application under Article 227 of the Constitution of India, to challenge the impugned order, he wants permission to withdraw this Civil Revision Applicaiton. Permission is granted. The petition accordingly stands disposed of as withdrawn. Rule is discharged. No costs. Interim relief granted by this Court is ordered to be continued upto 5th May, 2004.

6th April, 2004 (P.B. Majmudar, J.)

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(apj)